

**MAYOR**  
Michael L Alvarez

**MAYOR PRO TEM**  
David L. Cohn

**TOWN MANAGER**  
Scott J. Kaufhold, P.E.



**TOWN COUNCIL**

Gordon B. Daniels

Gary M. Savoie

Amy R. Stanton

Mark A. Wireman

**Indian Trail Town Council  
Regular Meeting  
Tuesday, October 11, 2016  
Civic Building—6:30 PM**

**AGENDA**

1. **CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE**
2. **MOMENT OF SILENCE**
3. **AGENDA ADDITIONS & DELETIONS** **Action**
4. **MOTION TO APPROVE AGENDA** **Action**
5. **PRESENTATIONS**
6. **PUBLIC COMMENTS**
7. **DEPARTMENT HEAD UPDATE:** Finance Director Jim Wojtowicz
8. **LAW ENFORCEMENT UPDATE**
9. **CONSENT AGENDA** **Action**
  - a) Approval of Draft Minutes September 27, 2016 Regular Town Council Meeting
  - b) Approve Tax Month End Report September 2016
  - c) Approve Budget Amendments #s 614 & 619-627
  - d) Repeal Resolution #R160913-01 fixing the public hearing date for Annexation #143 for 10-11-16
  - e) Approve Resolution #R161011-01 Resolution Fixing the Date of the Public Hearing for Annexation #143 for Tuesday, October 25, 2016 at 6:30 PM
  - f) Approve Proclamation for Domestic Violence Awareness Month
  - g) Approve proposed continuing services agreement with N-Focus Planning & Design, Inc. for the provision of professional code enforcement contract services
10. **PUBLIC HEARINGS** **Action**
  - a) **ZT2016-004 Private Roads:** Proposed text amendment to the Unified Development Ordinance (UDO) Chapter 1110.090(C), Access to Subdivision Lots and Chapter 1110.090(D), Private Streets to prohibit the construction of new private roads (Ordinance #0161011-247)

**11. OLD BUSINESS ITEMS**

**Action**

- a) Honorary Citizen/Business/Organization Program (formally referred to as "Person of the Month"-tabled item originally brought forth by Mayor Pro Tem Cohn)

**12. NEW BUSINESS ITEMS**

**Action**

- a) CRTPO Grant/Town Match for Wesley Chapel Stouts Road Corridor Study-Council Consideration of Approval of DRMP as Engineering Consultant (Mr. McLamb)
- b) Council to discuss and take action as necessary to consider amending the 2016 Meeting schedule for November Town Council Meetings as the first meeting is scheduled for Election Day and the second is scheduled for the week of Thanksgiving. (Mr. Kaufhold)

**13. DISCUSSION ITEMS**

- a) At the September 27, 2016 Town Council meeting, Mr. Steve Smith during his Safety Committee presentation asked that the Council consider reducing the Public Safety Committee membership from 9 members to 7 members. This would allow for a reachable quorum of 4 instead of 5. (Councilman Daniels)

**14. UPDATES**

- a) Manager's Update: Scott Kaufhold, Town Manager

**15. COUNCIL COMMENTS**

**16. CLOSED SESSION**

**Action**

**17. ADJOURN**

**Action**

**MAYOR**  
Michael L Alvarez

**MAYOR PRO TEM**  
David L. Cohn

**TOWN MANAGER**  
Scott J. Kaufhold, P.E.



**TOWN COUNCIL**

Gordon B. Daniels

Gary M. Savoie

Amy R. Stanton

Mark A. Wireman

**Indian Trail Town Council  
Regular Meeting  
Tuesday, September 27, 2016  
Civic Building—6:30 PM**

**MINUTES**

The Indian Trail Town Council held a Regular Meeting on Tuesday, September 27, 2016, 6:30 PM in the Council's Chambers at the Civic Building, 100 Navajo Trail, Indian Trail, NC.

**The following members of Town Council were present:**

Mayor Michael Alvarez  
Council Member Gordon Daniels  
Council Member Mark Wireman  
Council Member Gary Savoie  
Council Member Amy R. Stanton

**The following members of Town Council were absent:**

Mayor Pro Tem David Cohn

**The following members of staff were present:**

Town Manager Scott Kaufhold, Interim Town Attorney Chris Duggan, Town Clerk Kelley Southward, Director of Planning and Neighborhood Services Rox Burhans, Director of Finance Jim Wojtowicz, Director of Parks of Recreation Jason Tryon, Director of Engineering and Public Works Patrick Sadek, Executive Assistant to Town Manager/Special Projects Coordinator Vicky Watts, Communications/Community Engagement Coordinator Mike Parks, Senior Planner Gretchen Coperine and Engineering Project Manager Adam McLamb.

**Guests Present:** there were approximately 60 guests in the audience at the height of guest attendance.

**1. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Alvarez called the meeting to order at 6:30 PM and led everyone in the Pledge of Allegiance to the Flag.

**2. MOMENT OF SILENCE**

After the Pledge everyone remained standing for a moment of silence; Mayor Alvarez asked that everyone keep Charlotte and surrounding communities such as our own in thought and prayer during the moment of silence.

**3. AGENDA ADDITIONS & DELETIONS**

*Councilman Daniels moved to remove New Business Item 12b from the agenda the motion was tied by a vote of two (2) to two (2). Mayor Alvarez voted in opposition of removing the item from the agenda and therefore*

*the motion to remove the item died by a vote of two (2) voting in the affirmative and three (3) voting in opposition.*

#### **4. MOTION TO APPROVE AGENDA**

*Councilman Daniels moved to approve the agenda, as presented and the motion carried unanimously.*

#### **5. PRESENTATIONS**

**a) Mr. Scott Cole, Deputy Division Engineer, NCDOT-Highway Division 10 to discuss roadway and traffic issues**

Mr. Cole presented a Power Point regarding: 1) General transportation concepts; 2) Status of current projects; and 3) Upcoming projects.

General Transportation Concepts: include system analysis, intersection level of service, traffic signals and construction restrictions. There are no County roads in North Carolina; just State roads, municipal roads and private roads. North Carolina maintains about 80,000 miles of roads. NCDOT Division 10 (made up five counties including Union) there are about 11,000 miles of state roads. The explosive growth in population has contributed to the traffic issues. Indian Trail has nearly doubled in the past ten years. Intersections are graded on their level of service. A grade of "D" is considered acceptable by NCDOT and means that the average per vehicle delay at an intersection is between 35 and 55 seconds. An "F" grade is 80 seconds and over of delay per vehicle at an intersection. NCDOT has to be judicious in where traffic signals are installed as it increases travel time for drivers on a main line in order to allow a side street traffic to enter the main line. When there is road construction NCDOT restricts day-time lane closures, holidays and special events. Additionally, they will allow for intermediate contract times. For instance if construction on a road adjacent to a school can be completed during summer break then they will include in the contract that the work has to be done at that time.

Status of Current Projects: The Monroe Expressway is currently under construction and will span about 19 miles. Mr. Cole showed a map with the 8 interchanges along the route. The Monroe Expressway takes off from HWY 74 between Wingate and Marshville and moves westward until it connects back at HWY 74 in Stallings (just past Indian Trail). This west end of the project is the most labor intensive part; construction began on the east side of the project because NCDOT had the right of way in that area (depicted as segment 3 on the map presented). 95% of the corridor has been cleared and grubbed. Erosion control installation and maintenance is a major operation; over 600 skimmer basins and 60 miles of silt fence has been installed. 17 culverts have been completed and another 3 are currently under construction. There have been 4.2 miles of reinforced concrete pipe installed. 4 bridges have completed construction and another 23 are under construction. 44% of earthwork is complete; grading focus has moved to areas between bridges. 9.4 miles of water line and 3.2 miles of sewer line have been installed. Revenue projections are still sufficient to support project financing even though tolls for uniform per mile costs were adjusted. The Monroe Expressway Project is on schedule ITS integration is projected for July 31, 2018; substantial completion by November 27, 2018 and final completion is projected for May 28, 2019.

Indian Trail Road South Bridge remains closed between Old Monroe Road and Southfork Road. The work is slightly ahead of schedule and expected to reopen sometime this November. Upon completion of the project the temporary traffic signal at Southfork Road and Old Monroe will be removed.

Rogers Road Sidewalk project is one that the Town is managing; installation of 12,000 linear feet of sidewalk on the north side of Rogers Road. This will complete a sidewalk project for Sun Valley schools. The project is slated to complete in mid-November.

Upcoming Projects: The Indian Trail Superstreet Project is to improve safety and performance at four intersections of HWY 74: Indian Trail-Fairview Road, Unionville-Indian Trail Road, Faith Church Road and Sardis Church Road/Wesley Chapel Stouts Road. Right of Way has been acquired and utilities will be relocated. The tentative let date is December 20, 2016 with construction slated to begin in 2017.

There is a rail project slated for the area known as Stouts Siding Extension (P-5704). The purpose is to improve operation of the CSX-SF line by adding 10,000 feet of siding from west of Indian Trail Road to east of Hayes Road. There was a public meeting held on June 13, 2016 and construction is slated for 2018.

Another project being managed by the Town is the U.S. 74 Multi-Use Path (EB-5723) to improve safety and mobility for pedestrians and cyclists from just west of Indian Trail-Fairview Road to Crooked Creek Park along U.S. 74, Unionville-Indian Trail Road, and a new greenway along Crooked Creek. Right of Way acquisition scheduled for Fiscal Year 2019 and construction for FY 2020.

Mr. Cole noted that because all of these projects are within 5 years they are committed projects; no one is going to “pull the plug” at this point on any of these projects.

The Chestnut Lane Connector is also a committed project. The Town has constructed a segment from HWY 74 to Matthews-Indian Trail Road. NCDOT is committed to complete the segment from Matthews-IT Road to Gribble Road and the Town is slated to finish the portion from Gribble Road to Old Monroe Road. The purpose is to improve local connectivity; Right of Way acquisition in 2020 and construction in 2022.

Finally, the Old Monroe Road Project is divided into three sections commonly referred to as Matthews, Stallings and Indian Trail. They are currently finishing the environmental analysis and a Local Officials Information Meeting is scheduled for next week; Monday, October 3<sup>rd</sup>. Then, a public meeting will be held on Tuesday, October 11<sup>th</sup>. The purpose of the project is to add needed capacity; enhance mobility for traffic, pedestrians and cyclists in the corridor; and improve safety for all users. All sections will be construction concurrently; right of way acquisition in 2020 and construction in 2022. Mr. Cole expects that lane closures will be at night so that one lane of traffic each direction can be maintained during the day.

A woman from the audience asked about a traffic signal near McKee and Campus Ridge onto Old Monroe. Mr. Cole said that there is not a plan for a signal there but that could be evaluated for a traffic signal.

Councilman Savoie said that Indian Trail residents voted to put \$10 million towards the Old Monroe Road project and the longer that the project goes on the less far that money will go as costs go up every year. Is there any way to get started on the Indian Trail section sooner? Mr. Cole said that NCDOT is in the planning process now and they have to get through design which could take 18 months to 2 years. Then, they have to move to right of way acquisition which for the entire 6 miles of the whole project they expect that to take 2 years; he understands that Indian Trail owns some right of way in their section. The funds that Indian Trail has committed are included in the funding plan for the entire project. He believes the overall project could be delivered earlier if funding could be moved up. The way that funding is tiered Division funding is at the bottom.

Councilman Wireman stated that one of the concepts of \$10 million bond was to expedite the widening of Old Monroe Road to allow the Indian Trail section to be built ahead of the other sections. He asked if Stallings and Matthews brought any funding to the table to help complete their sections. Mr. Cole said the other towns have not contributed funds. Councilman Savoie said Indian Trail funding helped the project move up in the DOT funding process. If Indian Trail had not committed the funds then our section probably would not be included in the project at this time. Mr. Cole concurred stating that when funding started only the Stallings section was to be included. Having all three sections constructed concurrently will help mobility along the entire corridor.

Mayor Alvarez asked that a notice about the public meeting for the Old Monroe Road be disseminated to the public through any means that the Town uses to get information out.

**b) Union County Public Schools Central Services to present information related to the School Bond**

The new Union County Schools Superintendent, Dr. Houlihan was introduced. Mr. Gary Sides from the Union County Board of Education presented the School Bond that will be on the November 8<sup>th</sup> ballot. Mr. Sides noted that it has been ten years since the last school bond and our school system has grown by about 8,500 students since then. There are 53 Union County Public Schools with approximately 42,000 students. 11 high schools, 9 middle schools, 30 elementary schools and 3 special purpose schools. The proposed bond is for \$54 million and it is needed to increase capacity for 6 schools nearing capacity, to sustain growth through 2025-2026, address safety repairs and ADA, renovate aging facilities, remove aging mobile classrooms and construct new transportation facility with adequate service bays and parking.

Monroe High School, which was built in 1960 would receive 8 new classrooms, 2 teacher workrooms, 2 teacher offices, additional storage, increase school capacity to 1,500 (maximum) and add 13 mobile classrooms all for the projected cost of \$3,452,760.

Piedmont High School was also built in 1960 and it would receive 4 classrooms, 2 teacher offices, 2 teacher workrooms, additional storage and increase capacity to 1,600 (max) for the projected cost of \$2,148,384.

Porter Ridge Middle School was built in 2005 would receive 15 classrooms, 2 teacher workrooms, expanded Media Center, additional storage, increase student capacity to 1,600; there are 21 mobile classrooms. The total cost at Porter Ridge Middle is \$6,272,514.

Porter Ridge High School built in 2005 will receive \$1,496,196 of improvements: 4 new classrooms, expand the cafeteria and increase student capacity to 1,800 maximum.

Western Union Elementary was built in 1955 and would receive 8 new classrooms, expanded cafeteria, 2 teacher workrooms, remove 3 mobile units and increase maximum capacity to 804 all for \$3,882,437

Sun Valley High School was built in 1960 and would receive 10 new classrooms, an auditorium renovation, expanded administrative office area, expand the media center, add teacher workrooms, expand cafeteria and kitchen, new chorus room, upgrade HVAC and plumbing upgrades, ADA renovations, remove mobile units, build a new athletic stadium and increase student capacity to 1,800 maximum. Total renovations projected to be \$24,364,734. Councilman Savoie inquired projected start and finish dates of this project. It was relayed that this is a lengthy project that will start later than the rest of the projects and take about a year and a half to complete; projected start for design is May 2017; permitting bidding in June/July 2018; construction start date is projected to be August

2018 and construction end date is projected to be November 2019. It will be difficult to have construction taking place while students are having classes but everyone will get through it; a lot of work will have to be done at night. Temporary mobile classes are not expected to be necessary. Mr. Sides said that aviation and firefighting academies are filling up fast; more space is needed at this school. Furthermore, it is unacceptable that due to lack of space AP classes and other academies that are offered at other high schools in Union County cannot be offered at Sun Valley simply because of space constraints--it is not fair to the students. Councilman Daniels asked the cost of a mobile classroom. It was relayed that a new mobile classroom is about \$65,000 including delivery and set up. Maintaining a mobile unit varies on the age and are not as easy to maintain as conventional buildings. Over half of the mobile units (in the County) are 20 years old and the newest mobile units are more than 10 years old. They are maintained well with safety in mind.

Also on bond referendum is a new transportation facility; the current facility was built in 1980. The new facility would be built on Gold Mine Road and be 50,723 square feet with office space. Bays would be increased to 16 (currently there are 6). There would be a parts and storage areas with secure parking. The current facility does not meet DPI recommendations.

The estimated tax increase for the entire bond of \$54 million is \$0.16 (16 cents) per \$1,000 of valuation. For a property valued at \$100,000 then you would pay approximately \$16 more a year (less than \$1.50 a month) if the bond is approved. Mr. Sides said that money would not be shifted; the bond money could only be spent on land acquisition, construction and renovation of facilities and purchase of capital equipment for the facilities. The presentation shared this evening can be viewed on-line at [ww.ucpsbond2016.com](http://ww.ucpsbond2016.com).

## 6. PUBLIC COMMENTS

- **Pat Mower of 2022 Canopy Drive** addressed Council regarding the proposed Heritage Development. Since the last Council meeting she has come to the realization that Council will likely not be able to prevent this project from being constructed despite what citizens want. The Developer has stated that they intend to build the project even if the conditional zoning is not approved. The only thing is if they build under the current zoning they would be permitted to build a far less attractive neighborhood than what they have proposed with the conditional zoning application. Mrs. Mower said that she hopes Council will schedule a community meeting. It is a grievous thing to know that this project is being forced on the Town.
- **Larry Dukes 5001 Magna Lane** lives on the corner of Magna Ln. and Downing Court and is also opposed to the Heritage project. However, he understands that there are basically only two choices at this point; let the project be built under its current zoning (a bleaker project) or approve the rezoning and have the project built as proposed. He said that he is opposed to the rezoning application but if it is true that the project will move forward either way than the rezoning is better than what could be built under the current zoning. The Planning Board has forwarded recommended modifications. Downing Court is a dead-end street; a cul de sac of about 15 homes and they would like to remain such; keep it a permanent closure. He too was in favor of the community meeting regarding this project.
- **Richard Herman 1002 Downing Court** echoed the two speakers before him; he is in favor of a community meeting for the Heritage Project so that the facts can be conveyed to the public. They are very concerned about Downing Court and the buffers.
- **Michael Faulkenberry 519 Pickets Circle** (a verbatim written copy of his comments are attached hereto and made a part of these official minutes). Mr. Faulkenberry thanked whoever filmed and posted the portion of the last Town Council meeting where he believes he was shown disrespect by Mr. Cohn and Ms. Stanton. He said that he served our country for six years in the Air Force and does not attend Council meetings to be made fun of, disrespected or bullied by public officials. Mr.

Faulkenberry said that having Faith Church Road dead-end into Monroe Road will only create another busy intersection in the Sun Valley area. He believes the road should go through Brandon Oaks to give those residents an alternate route. He opined that the ABC Store should use their own logo/seal and not be permitted to use the Town's. He asked if the Council schedules a community meeting for Hawfield if there would be enough time for staff to send notices out. Also, a bigger venue should be considered. Finally, Mr. Faulkenberry said that the PIR process is broken, outdated and in need of updating. Hindering or placing road blocks on requests is not repairing the process. He asked if there is physical evidence to show how much staff time has been wasted on public information requests. He said that a PIR submitted three years ago would be \$75,000 and Mr. Cohn did not bring that up at the last meeting.

- Cathi Higgins of 3004 Clover Hill Road addressed Council regarding residential growth. Mrs. Higgins said that she would also like to see Council schedule an additional community meeting for the Heritage project a 435 residential unit neighborhood that is supposed to be for seniors. She noted that there are already 3511 approved units that have yet to be built in Indian Trail. If another 435 are approved that's nearly 4000 more residential units that will be built in town that we don't have the infrastructure to support. Anyone of any age can live in any of these approved units. She commutes from Indian Trail to Fort Mill. This should be a 35 minute drive but it is up to 1 hour and 20 minutes because of the traffic issues. She noted that additional deputies have been added to control traffic at intersections. She urged Council to not approve one more residential unit until we have the infrastructure to support the growth.
- Charles Pettit of 6722 1st Avenue noted that last October there was a lot of rain and his road flooded. When inquiring for assistance to address the flooding issues he was told that 1st Avenue is a private street and that the original developer nor the second developer of the neighborhood never conveyed 1st Avenue to the Town or State. However, he said that the second developer (the first had passed away) said that he had put up a surety bond for the road with the Town of Indian Trail and Council refused to use it for the intended purpose of maintaining the road. Mr. Pettit said that he is not here to accuse anyone; he just wants help. They have been told that they are a private road but the school system says they don't run buses on private roads but the school bus goes down 1st Ave. He said that Post Office said they don't deliver on private roads but the Postman delivers on 1st Ave. WastePro picks up garbage on the street too. How then, is 1st Ave a private road? His understanding is the only way to no longer be a private road is for Council to take action to accept the street into their road system.
- David Wilson of 8010 Beacon Hills Road addressed Council about the abandoned house located at 8008 Beacon Hills Road; the property adjacent to his own. He said that he has been trying to get someone to cut the grass for two months to no avail. There is a privacy fence on three sides of the property that is falling down. He is embarrassed to have guests come to his home based upon the condition of the neighboring property. It is boarded up but squatters have come in. About a month ago he called law enforcement because the back door of the property was open and the police found evidence of drug use inside the dilapidated home. It does not make him feel safe to live next door. It is ridiculous that the home has been abandoned for six or seven years. The property is a disgrace and he begged for the Town to assist him to abate the nuisance property. Mayor Alvarez asked the Town Manager to look into this situation. Councilman Savoie wondered how many other properties in Town may be in this condition and asked for an update from Code Enforcement.
- Kathy Miller of 1106 Alyssum Lane also opposed the Hawfield/Heritage project. She said that residents have voiced their opinion against the project many times and doesn't know why the Planning Board caved to the developer and recommended approval of the project rezoning. She said that she is against the rezoning. She opined that the main reason why the developer wants to call the project age-restrictive is because it is cheaper to build an age-restrictive community. She said that setbacks could be reduced allowing for only 10feet between structures meaning that more homes could be built on smaller lots. Ms. Miller said that most of the land in the Wesley Chapel section is in

the flood plain and unbuildable. She said that we are talking about 440 homes versus about 300 homes and just a couple weeks ago Council denied a subdivision with less than 100 lots/homes. Ms. Miller said that people in Brandon Oaks are grid locked; it is very difficult to get out of Brandon Oaks it took her 20 minutes to get here this evening. Finally, Ms. Miller said that they do not want Faith Church Road to go through Brandon Oaks.

- Samantha Towns addressed Council and thanked residents, staff and Council for their sympathy and well-wishes during her grieving period.
- Mark Fretz of 4018 Magna Lane addressed Council regarding traffic. He said that connectivity between neighborhoods with streets is a good idea. He said that people are going to cut through Brandon Oaks regardless so it would be better to have the Faith Church Road Extension.

**7. LAW ENFORCEMENT UPDATE**

Captain Coble said that early this morning a man tried to rob the Kangaroo gas station with a toy gun; Matthews had a similar incident 30 minutes prior. Some other recent incidents were highlighted by Captain Coble. He noted a teenage incident where a firearm was discharged at the Cookout on HWY 74; luckily no one was hurt. They are trying to work with the teens to find a good hangout spot; he urged everyone to be patient with the teenagers as we were all once teenagers.

**8. COMMITTEE UPDATE:** Public Safety Committee Chairman Steve Smith gave a detailed Power Point Presentation. 2012-2016 accomplishments include a review of the burn ordinance and leash laws (going to conduct another review in 2016 and discuss how to get the information out to the public effectively); reviewed and discussed the Animal Control Ordinance; Presentation from Captain Coble and discussion of Citizen's Training Academy; and researched and creating a concise operational risk management plan/checklist for parks/events/construction projects/weather issues. 2016-2017 Goals include re-review of burn ordinance and leash laws; continue working on creating residents emergency response team; hold training class/traffic safety school with UCSO; study street parking issues; visit with EMS; support upgrades with volunteer fire service; provide booths for educational training on safety topics at town events; and address abandoned houses in Indian Trail. 2016-2017 issues of concern include population growth; effects on school and education quality; traffic and roads; public safety strain; emergency and environmental planning; parks and recreation safety (call boxes); briefing the public; and reducing advisory group size to 7 to achieve quorum easier. Looking forward the Public Safety Committee would like to see that all hired contractors are easily identifiable (recent park photographer case); teaching safety classes; giving out community grades; revisiting the community survey; citizen review board for ticketing violations; work to keep violation money in Indian Trail for roads and repairs.

Councilman Wireman asked if the Public Safety Committee ever works and/or communicates with the Planning Board on any of the concerns mentioned during the presentation. Mr. Smith said that he does not believe that any boards/committees have worked collaboratively in the past but believes it would be a wonderful thing. He suggested that perhaps quarterly meetings be scheduled with multiple (or all) committees and boards so that cohesive recommendations could be made to Council.

**9. CONSENT AGENDA**

**Action**

- a) Approval of Draft Minutes September 13, 2016 Regular Town Council Meeting

*Council Member Stanton moved to approve the Consent Agenda and the motion carried unanimously.*

**10. PUBLIC HEARINGS**

**None**

**11. OLD BUSINESS ITEMS**

**Action**

- a) 1st Avenue Presentation of Drainage Study and Road Repair Cost Estimates (Mr. Sadek)
- b) Traewyck Presentation of Drainage Study (Mr. Sadek)

c) **Ashe Croft Presentation of Drainage Study (Mr. Sadek)**

Mr. Kaufhold noted that Patrick Sadek, Director of Engineering and Public Works would be presenting items 11a-c at one time; this is mostly an update to let Council know what is happening with the three drainage studies approved by Council earlier this year. Mr. Sadek noted that earlier this year Council asked for three drainage studies to be conducted: 1st Avenue, Traewyck and Ashe Croft. The studies have been completed for 1st Ave and Ashe Croft. The Traewyck study is expected to be completed in November.

**1st Avenue:** Three main factors have been identified for 1st Ave: water ponding, flooding and erosion control. The road floods as well as front and back yards of the homes on 1st Ave during rain events. In his professional opinion the deterioration of the road (1st Ave) is caused by the stormwater drainage issues. He said that the system has four different components and they would like to address a solution in four different phases.

The 1st Phase (or system) for repair would be to go up stream and purchase four or five small lots and create a detention pond on those lots. The detention pond will detain stormwater coming from upstream that is currently flowing straight to 1st Ave. The cost for this phase is approximately \$224,000. The 2nd Phase would work with the 1st phase in that it would be a pipe system that carries the stormwater from the detention pond to South Fork Crooked Creek. The estimated cost is about \$619,000. The 3rd Phase (or system) is to pipe both sides of 1st Ave and fix the road for an estimated cost \$750,000. The 4th and final Phase is to connect the DOT system and the cost is about \$105,000. The total cost for all Phases is estimated at \$1.6 Million not including contingency.

Councilman Wireman asked if Phase 1 were completed would it relieve the immediate problem of flooding on 1st Avenue during heavier rain events. Mr. Kaufhold and Mr. Sadek both noted that it would bring some relief but to what degree is not known at this time. Mr. Sadek noted that the pond could be designed for a 50 or 100 year storm. However, without Phase 2 being completed to take the water out of the detention pond and forcing it to travel where we want it to go the water is simply going to be detained to a certain point for a certain amount of time before heading straight for 1st Ave. Phases 1 and 2 need to be done in conjunction if at all possible.

Councilman Daniels asked if there was any proposed development up or down stream in the area. Mr. McLamb noted that downstream is where Old Hickory Business Park is located and they have planned stormwater measures set aside. Upstream there is a platted development where the lots do not perk. Therefore, it takes three to four lots just to build one home; the only way the subdivision would develop is if water and sewer were extended to the area. Mr. Sadek noted that the proposed detention pond (phase 1) has been designed to trap stormwater from a large area and has also been designed for future development of that area.

**Traewyck:** This development is located next to Sardis Industrial Park. There was a detention pond in the past but it was removed during development of the upstream area. There are now ponding and erosion control problems; the stormwater has created a ditch of sorts along the rear of some properties in Traewyck. It is all connected to the downstream floodplain. The consultant is working to complete the drainage study and should have that to us by mid-November. The study should include recommendations for improvements. At the same time Engineering is working with Union County Wastewater Treatment Plant. The consultant will be looking to mitigate the problems on the rear yards in Traewyck. They are also looking at an option to run stormwater along the edge of the wastewater treatment plant. A ditch has also been proposed along the rear of Traewyck. Mr. Sadek will report back to Council once the study is completed.

Mayor Alvarez allowed a resident affected by stormwater problems in Traewyck to ask a question. The resident asked about the soil erosion that has already occurred in the back yards while they've been waiting on this study to be done. What will the Town do to repair the ditch that has been created by the flowing stormwater? The resident noted that he has trees in his back yard that could be pushed over with little force because of the soil erosion. Mr. Sadek said if the Town decides to move forward with the improvements on the wastewater treatment plant side then they will repair the back yards that have been impacted by shaping the ditch and addressing the erosion control problems. Sadek said that time and money would be saved by the wastewater treatment plant option. He has walked the four or five rear yards in Traewyck that have been adversely affected and believes those problems need to be rectified.

**Ashe Croft:** there were four options provided to address the issues in Ashe Croft and Council decided to go with the option of improving the existing channel that runs along the rear of some properties. There is a 20-foot right of way in the area and the soils remain moist according to the study. Some swimming pools need to be mitigated as well as retaining walls and fences. The project will take about three months to complete. Mr. Sadek estimates the project to begin in early January and end the beginning of April. The project cost is about \$180,000. There will be construction equipment that has to stabilize in the area. The project design should take about 30 days; that cost is about \$15,000 to \$20,000 if Council wants to move forward. If Council is in agreement with this solution staff would meet with property owners to describe the projected work and time frames. Council gave unanimous consensus and direction to spend up to \$20,000 for construction design to move this project forward.

**d) Council Action to approve recommendations for Faith Church Road (Mr. McLamb)**

The process to amend the Thoroughfare Map of the Transportation Improvement Plan (TIP) for this project continues; this is the 3rd time before Council as the process requires. The recommendations are: 1) to maintain Segment A as proposed by extension of Faith Church Road between US 74 and Old Monroe Road; 2) Convert Segment B to multimodal connection (greenway); 3) replace Segment C with alternate connection in Wesley Chapel; and 4) widen Wesley Chapel Road. The required public comment period was open for 34 days and 95 comments were received with 92 in favor of the proposed recommended changes and 3 against the recommendations. A public meeting was held on September 6, 2016 and attended by 10 citizens. If council approves the recommended changes this evening then Mr. McLamb will make presentation to the Technical Coordinating Committee (TCC) of the Charlotte Regional Transportation Planning Organization (CRTPO) so that a recommendation can be made to the Metropolitan Planning Organization (MPO) of CRTPO who has the final say in changes to the Thoroughfare Map of the TIP.

Faith Church Road is part of a 10-year plan (the TIP) and is not a part of the first 5 years of that plan. Anything within the first 5 years is funded and guaranteed; projects in the last 5 years can be pushed back and are not funded. The Town is not committing to any funding at this time. Rather the state mandates that municipalities have a Thoroughfare Plan and Faith Church Road has been in the plan for many years. Council is simply being asked to request changes to how Faith Church Road is included in the plan. This is not a funded project. The recommended changes do not eliminate any portions of the road but they do change a segment from being asphalt for vehicular traffic to being a greenway for other means of transportation such as walking and bicycling. *After further explanation and discussion a motion was submitted by Council Member Savoie to approve the recommendations for Faith Church Road in the TIP's Thoroughfare Map, as presented; the motion carried unanimously.*

**e) Council to clarify fee reductions for PRAA and ITAA (Mr. Tryon)**

Mr. Tryon asked if the action taken by Council last month to reduce fees for these two athletics associations was intended to be only for the field rental fees or all of the fees associated with renting field space which also include field preparations and lighting. Council said that the fee reductions are only for the field rental and no other associated fees.

- f) **Council to appoint one of their own membership to be Indian Trail's representative on the Charlotte Regional Transportation Planning Organization (CRTPO). (tabled item-Mr. Kaufhold)**

Mayor Alvarez said that he would take over as the Town's representative on the MPO but he is not available until December. He asked if any member could attend the October and November meetings; no Council members were available. Council was agreeable to Mayor Alvarez starting in December as the Town's CRTPO representative. Council fully understood that Indian Trail would not have a representative in October and November as an elected official has to be the Town's representative on the MPO.

## 12. NEW BUSINESS ITEMS

### Action

- a) **Council to consider recommendations made by the Economic Development Task Force regarding a business/technology park. (Mr. Kaufhold)**

Mr. Kaufhold introduced Mr. Chris Platé, Director of Monroe Union County Economic Development (MUCED) and noted that the Economic Development Task Force (EDTF) met a couple weeks ago. Mr. Platé said the first recommendation is for the EDTF to examine the uses of the Unified Development Ordinance (UDO) to make sure that there are not conflicting uses in the zoning districts that allow for business/technology parks. All uses whether permitted, by-right uses or conditional uses should be compatible. Another recommendation was to control land either by partnering with the private sector or the town to go out on its own and look at land options. Lincoln County was discussed as a model to follow as they have had success in building business parks with land options. Finally, the recommended industries to solicit are aerospace manufacturing, advanced materials and composites/medical devices, light distribution and information technology.

Council agreed with the recommendations brought forth by the EDTF by way of consensus.

- b) **Council consideration to approve Resolution #R160927-01 authorizing the ABC Board/Store to use the Town Logo/Seal for their purposes (Mr. Kaufhold)**

It was noted that the ABC Board/Store would like to use the Town's branding logo (the man at the end of the trail) for shirts and other apparel for their staff and Board members; this would not be to sell anything with the Town's logo. Council Member Daniels was opposed to allowing the ABC Board/Store use of the Town logo and seal; he felt that they should get their own branding to identify themselves and was in favor of Town staff assisting them in that process should they need any guidance. Councilman Wireman asked if other ABC Stores use municipal logos/seals. Mr. Kaufhold said that he has seen such but staff has not researched that particular aspect. Councilman Savoie said he would only be concerned if it were going to go on the building but is not opposed to apparel use. *Councilman Daniels moved to deny Resolution #R160927-01 and the ABC Board/Store request to use the Town Logo/Seal but asked that Town Staff assist them if they need assistance in developing their own branding; the motion carried unanimously.*

- c) **Council consideration to approve the required resolution to begin the process for offering Social Security benefits to town employees; resolution specifically titled: "Resolution for Counties, Municipalities and other Subdivisions or North Carolina Making Application for Coverage of Retirement Coverage Groups of Employees Under the Old Age, Survivors, and Disability Insurance Provisions of Title II of the Federal Social Security Act" (Local Resolution #R160927-02) (Mr. Kaufhold)**

Mr. Kaufhold noted that the Town does not participate in Social Security for employees; a decision that Towns were given many years ago and Indian Trail elected not to participate. In North Carolina there is a process to follow if the Town wants to begin participating in Social Security. Council included funds in the current budget for the employer match; the first step of the process. Approving this Resolution is the second step in the process which may take about a year to complete. Part of the process includes a vote by staff and majority rules. It was noted that this matter requires a motion and a second to the motion to move forward for a vote. *Councilman Daniels noted that he believes this will help the Town be more competitive in hiring and retaining employees and submitted a motion to approve local Resolution #R160927-02; the motion was seconded by Councilwoman Stanton and carried unanimously by a four (4) to zero (0) vote.*

- d) **Council to consider scheduling a Community Meeting regarding the Heritage/Hawfield Project to occur prior to the October 11th Public Hearings; suggestion was made by a member of the Planning Board during their 9/20/16 Meeting (Mr. Kaufhold)**

Council discussed this matter coming to the conclusion that although 10-12 meetings have already been held regarding this project that another Community Meeting was necessary prior to the public hearing for this matter and asked to delay the public hearing. The public hearing would not be held on October 11, 2016. Staff was directed to schedule a Community Meeting and reschedule the public hearing for sometime after the community is held. Staff noted that some procedural paperwork to change the public hearing date would have to be included on the October 11th agenda but in no way would it be a decision on the project the proposed rezoning or the associated annexation. *Councilwoman Stanton motioned to move forward with a community meeting for the Hawfield/Heritage Project date to be determined and announced and the motion carried unanimously.*

### 13. DISCUSSION ITEMS

- a) **Discussion of the written Public Information Request Policy approved by Council on August 9, 2016 (i.e. Adoption of North Carolina's State Policy for Public Information Request with amendments). (Attorney Duggan)**

Mr. Duggan noted that some language needed to be amended in the State's PIR policy that the Town Adopted in August in order to make the document logical and applicable to the Town. He reviewed the changes, including the addition that Council made upon approval, with Council (PIR Policy with noted changes is attached hereto and made a part of these minutes).

Councilman Savoie asked what the liability risk was in approving the State's PIR Policy which has been under scrutiny and involved in litigation. Mr. Duggan said it depends on the type of requests that come in. If we get large requests involving our technology contractor's time which the costs get passed along to the requestor then an individual could bring a lawsuit forward to challenge the costs. He said that anytime a town adopts a state policy it will have challenges because you are going from a globally applied document to a micro-applied document. Like many of the Town's policy's and ordinances this will be a living document; things will arise that spark the need to amend the policy. Of course, it should not be changed on a whim but there will be issues that come up that will prompt

amending the policy. Upon query, Mr. Duggan said he was unsure where the State's policy was in the court system if it is even in litigation but he would find out and let Council know the status. Mayor Alvarez asked what happens if the State's Policy is struck down does that mean that any fees charged could be mandated to be refunded. Mr. Duggan said if the State's Policy goes away that doesn't automatically mean that the Town's policy would be void. The Town could still have the policy until challenged.

Councilman Daniels said that the State's Policy is in the courts now. He also said that this is an administrative policy of the state; the legislature has not approved this policy it was put forth by the Governor. If a new Governor comes along and repeals this what does that do for our policy; we've adopted an administrative policy of the state? Mr. Duggan noted that the Town's adopted policy would remain. Councilman Daniels also asked if we could be sued over the policy we've adopted. Mr. Duggan said if someone brings a lawsuit forward they could. Council determines the Town's policies.

*Councilman Wireman moved to approve the written Public Information Request Policy as presented and the motion ended in a tie vote by Councilwoman Stanton and Councilman Wireman voting in the affirmative and Councilman Daniels and Councilman Savoie voting in opposition; two (2) to two (2) vote. Mayor Alvarez broke the tie by voting in the affirmative; the motion to approve passed by a final vote of three (3) to two (2).*

#### 14. UPDATES

- a) **Manager's Update: Scott Kaufhold, Town Manager** relayed that the Cultural Arts Festival was a wonderful event and he thanked Parks and Recreation Staff for all of their hard work. Two more positions have been filled and staff is just about completely filled. VFW Lane was repaved today. The reclamation work is next and the last round of the paving contract to be completed next month. The next Town Hall Forum will be Saturday at Cathy's Coffee at 10AM and Councilman Daniels and Councilman Wireman will be present. Upon query from Councilman Wireman, Mr. Kaufhold noted that the draft of the revised parking ordinance should be submitted to Council in November. Captain Coble noted that it has been tailored to Indian Trail.

#### 15. COUNCIL COMMENTS

- Mayor Alvarez said that the Cultural Arts Festival was done very well; he commended Councilman Daniels for being there all day. The mural on Carolina Courts by the Arts and Historical Society was dedicated on Sunday; the mural has been validated and certified by the Native American Society. Today was the ribbon cutting/dedication of Union Preparatory; Mayor Alvarez thanked Councilman Daniels and members of staff for attending. He said that the unrest that has been going on close to home that we should look in the mirror and decide to be tolerant of one another.
- Councilman Wireman thanked everyone for coming out. It helps Council do their job when citizens attend and share their thoughts and feelings. He will always get back to residents that reach out to him. He commended Mr. Dennis Gay for doing a good job of running the last Planning Board Meeting as part of his Vice Chairman duties. Councilman Wireman thanked Captain Coble and all of the deputies of everything they do.
- Councilman Savoie thanked everyone for attending and staff for their hard work.
- Councilman Daniels said he marveled at the size and cost of Union Prep and mostly at how quickly that school was built. He hopes that UCPS can learn from what Union Prep accomplished. He said that one of the hardest things to do in government is govern. He thanked the Planning Board for the countless hours they put in to reviewing projects to come to their recommendations. Specifically, he knows that they have put a lot of time and effort into the Heritage Project. He said that the Planning Board has a tough job and they do it well.

- Councilwoman Stanton thanked the residents for coming out and voicing their opinions; she hopes people feel as though Council is listening. She also thanked Mr. Gay for his commitment to the Planning Board and the good job he did Chairing the last meeting. She also thanked Captain Coble and UCSO as well as staff and Mr. Duggan.

**16. CLOSED SESSION: none**

**17. ADJOURN:** *Councilman Savoie moved to adjourn at approximately 9:20 PM and the motion carried unanimously.*

(SEAL)

\_\_\_\_\_  
Michael L. Alvarez, Mayor

Attest:

\_\_\_\_\_  
Kelley Southward, Town Clerk

DRAFT

## Town of Indian Trail

---

# Memo

**TO:** Mayor and Town Council  
**FROM:** Alicia Massey  
**CC:** Scott Kaufhold  
**DATE:** October 11, 2016  
**SUBJECT:** Month End September 2016



---

According to GS 105-350(7) it is the duty of the tax collector to submit to the governing body at each of its regular meetings a report of the amount he/she has collected on each year's taxes with which he is charged, the amount remaining uncollected, and the steps he/she is taking to encourage or enforce payment of uncollected taxes.

Attached is the month end report for September 2016 collections. The tax department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments and NC Debt Setoff.

Description	Count	Principal			Penalty	Total
		Arrears/Other	2016	2017		
Billing	32477	1,158.74-	7,390,832.38	0.00	0.00	7,389,673.64
Payments	4343	19,618.85-	818,309.11-	0.00	0.00	840,373.51-
Reversals	6	0.00	1,086.38	0.00	0.00	1,086.38
Adjustments	1803	67.97	2,201.85-	0.00	0.00	2,460.53-
Apply Over	0	0.00	0.00	0.00	0.00	0.00
Rev Appl Ovr	0	0.00	0.00	0.00	0.00	0.00
Ref Overpay	12	680.60	0.00	0.00	0.00	680.60
Penalty	<u>6362</u>				<u>2,738.38</u>	<u>2,738.38</u>
Totals	<u>45003</u>	<u>20,029.02-</u>	<u>6,571,407.80</u>	<u>0.00</u>	<u>33.82-</u>	<u>6,551,344.96</u>



July 27, 2016  
11:34 AM

TOWN OF INDIAN TRAIL  
Expenditure Entry Verification Listing

Page No: 1

---

Batch Id: BWC      Batch Date: 07/27/16      Batch Type: Standard

---

Account No. Account Description	Type	Entry Description	Amount	Seq
10-80-6130-493-000 Community Events	Transfer Out		8,500.00	1
10-80-6130-493-003 Sunset Series - CC Movie	Transfer In		1,800.00	2
10-80-6130-493-004 Cultural Arts Festival	Transfer In		6,700.00	3

July 27, 2016  
11:38 AM

TOWN OF INDIAN TRAIL  
Expenditure Batch Update/Posting Report

Page No: 1

---

	Updated Entries	Updated Amount		
Reimbursements:	0	0.00		
Expenditures:	0	0.00		
Transfer In:	2	8,500.00		
Transfer Out:	1	8,500.00		
Cancel:	0	0.00		
Encumbrances:	0	0.00		
Batch: BWC	Updated Entries: 3	Updated Amount: 17,000.00	Ref Num: 614	

---



## Indian Trail Cultural Arts Festival 2016

Account # 10-80-6130-493-004

### Budget

Banners- \$300

Signs- \$200

Public Relations- \$600

Entertainment-\$2200

Deputies- \$600

EMT- \$400

Contests/Kids Zone - \$1500

Event Site/Park Prep - \$300

Water/Volunteer Supplies- \$200

Misc. \$400

---

Total- \$6700

JT



**Sunset Series- Crooked Creek Movie**

**Friday, Sept 15, 2016**

**Account # 10-80-61<sup>3</sup>~~10~~-493-003**

**Budget**

Banners- \$300

PR - \$375

Entertainment- \$300

Deputies- \$150

EMT-\$150

Movie- \$425

Misc. - \$100

---

Total- \$1800.

*JT*